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11 Attorneys for Plaintiff  
12 United States of America

13  
14 IN THE UNITED STATES DISTRICT COURT  
15  
16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 CASE NO. 1:21-CR-00148-JLT-SKO

20 STIPULATION AND ORDER TO VACATE  
21 STATUS CONFERENCE AND SET TRIAL DATE

22 v.

23 SOFIA CISNEROS-NOYOLA,

24 Defendant.

25 Plaintiff, the United States, by and through its counsel of record, and the defendant, by and  
26 through his counsel of record, hereby stipulate as follows:

1. By previous order, this case was set for status conference on March 1, 2023, and time under the  
2 Speedy Trial Act was excluded from November 16, 2022, through March 1, 2023, inclusive,  
3 pursuant to 18 U.S.C. § 3161(h)(7)(A) and B(iv).
2. The parties now stipulate and request that the status conference be vacated and a trial date be  
3 scheduled January 9, 2024, at 8:30 a.m. This is the earliest available date to ensure continuity of  
4 defense counsel and allow sufficient time for trial preparation and further defense investigation.  
5 The defendant moves to exclude time from March 1, 2023, through January 9, 2024, inclusive,  
6 under 18 U.S.C. § 3161(h)(7)(A) and B(iv).
3. The parties stipulate and request that the Court make the following findings:

1                   a)       The government has represented that the discovery associated with this case  
2 includes over 11,000 pages of reports, wire intercepts, search warrants and affidavits,  
3 surveillance videos, photographs, body wire audio recordings, and the recorded statement of the  
4 defendant. All of this discovery has been either produced directly to counsel and/or made  
5 available for inspection and copying. Supplemental discovery including an additional 15,000  
6 pages of documents was also produced.

7                   b)       Counsel for defendant desires additional time to review discovery, conduct  
8 investigation and research related to the charges, conduct research into any mitigating factors,  
9 consult with her client, discuss a potential plea with the government, and to otherwise prepare for  
10 trial.

11                  c)       Counsel for defendant believes that failure to grant the above-requested  
12 continuance would deny him the reasonable time necessary for effective preparation, taking into  
13 account the exercise of due diligence.

14                  d)       The government does not object to the continuance.

15                  e)       Based on the above-stated findings, the ends of justice served by continuing the  
16 case as requested outweigh the interest of the public and the defendant in a trial within the  
17 original date prescribed by the Speedy Trial Act.

18                  f)       For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
19 et seq., within which trial must commence, the time period of March 1, 2023 to January 9, 2024,  
20 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
21 because it results from a continuance granted by the Court at defendant's request on the basis of  
22 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
23 of the public and the defendant in a speedy trial.

24               2.       Nothing in this stipulation and order shall preclude a finding that other provisions of the  
25 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
26 must commence.

27               IT IS SO STIPULATED.

1  
2 Dated: February 14, 2023

PHILLIP A. TALBERT  
United States Attorney

3  
4 /s/ ANTONIO J. PATACA  
5 ANTONIO J. PATACA  
6 Assistant United States Attorney

7 Dated: February 14, 2023

8 /s/ ROBERT LAMANUZZI  
9 ROBERT LAMANUZZI  
10 Counsel for Defendant  
11 SOFIA CISNEROS-NOYOLA

12 **ORDER**

13 IT IS SO ORDERED.

14  
15 DATED: 2/14/2023

16   
17 THE HONORABLE SHEILA K. OBERTO  
18 UNITED STATES DISTRICT JUDGE